



# Department of Environmental Protection

Jeb Bush  
Governor

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Colleen M. Castille  
Secretary

March 17, 2006

Manatee County Board of County Commissioners  
c/o Richard Spadoni, Senior Vice President  
Coastal Planning and Engineering, Inc.  
2481 N. W. Boca Raton Boulevard  
Boca Raton, FL 33431

Re: Anna Maria Island Beach Restoration and Nourishment Project **0039378-001-JC**, and  
modification **0039378-007-EM**

Dear Mr. Spadoni,

This letter addresses Specific Conditions 23 and 25 from modification 0039378-007-JC in the Anna Maria Beach Restoration and Nourishment Project. Due to unforeseen contracting difficulties, certain portions of these conditions cannot be met. Therefore this letter will grant a waiver for the items described below.

Modification 0039378-007-EM required the pipeline lying on the Anna Maria Beach to be removed so that all areas nourished in 2005 could be tilled (Specific Condition 23). However, the actual removal of the pipeline did not occur in a timely manner, due to miscommunications between contracting and project management, as well as logistical planning difficulties. This inability to execute all of the required permit conditions is not excusable and should be avoided in the future.

Because the pipes were required to be remobilized in the last two weeks of March in preparation for the project to resume, it is not a feasible alternative to remove the pipes at this point, just to immediately replace them. As tilling around existing pipe could result in improperly tilled beaches which could in turn increase the number of non-nesting emergencies by marine turtles, FWC has decided that tilling areas containing pipes is not advantageous. In addition these areas will be required to be tilled (again) before the bulk of the nesting season (by June 1) once the pipes are removed. Thus only portions of the beach nourished in 2005 that do not contain pipelines, specifically the north end beach and the beach area between 56 and 66<sup>th</sup> street, shall be tilled at this time following a bird nesting survey. Any shorebird nesting observed shall be reported to FWC for guidance prior to tilling in that area. In addition, any future sea turtle nesting issues on any of the untilled nourished beach areas containing pipelines shall be reported to FWC. Following project completion, the remainder of the beach that has been nourished but not tilled, may also be required to be tilled according to the permit, provided such tilling could be



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conducted without impacting shorebird and marine turtle nests. Please contact FWC staff at that time to determine if tilling is required.

Specific Condition 25 prohibits the mooring of vessels offshore of the northern sound side beach (close to the Anna Maria City Pier), due to the presence of a historical turtle nesting beach. In the past, mooring offshore in the north sound area has created turtle nesting issues due to lighting and activity in proximity to the shoreline. When this condition was written, an alternate mooring area near the south sound side of the island was established. However, the contractor has indicated that the dredge does not fit through the Longboat Pass Bridge next to this site, and traveling all the way up and around the sound side of the island in order to reach the project area would impose a substantial increase in time as well as project-related costs. Approving another mooring site at this point would cause great delays in the sand placement due to review time and contract adjustments. In addition, because the project must be complete by June 1, 2006, it would result in a smaller nourished beach, which would ultimately affect the nesting turtles. Therefore the original mooring site will be re-approved with added conditions.

Due to the project difficulties which mooring at the southern location would cause and the fact that the current project will cease before the bulk of the marine turtle nesting season (June 1), mooring will be allowed offshore of the north sound side (offshore of the Anna Maria City Pier) of the island only if the following minimization measures are adhered to: 1) The vessels shall be located as far offshore of the sound side nesting beach as possible, while staying away from the main channel so as to not pose a navigational threat to turtles; 2) Lighting of the dredge and vessels shall be in accordance with the existing condition (Specific Condition 12); 3) Marine turtle monitoring shall continue on the sound side nesting beach; 4) In accordance with Specific Condition 25, there shall be no impact to the nesting beach on the north sound side of the Island, and any potential issues shall be brought to the attention of FWC and DEP; and 5) All equipment and vessels shall be removed from the staging area by June 1, 2006 in order to avoid the main marine turtle nesting season.

While DEP expects that every effort will be made to ensure that the pumping of sand shall begin by April 1, if contracting issues arise causing short delays, than the pumping of sand shall occur no later than April 7, 2006.

Sincerely,



Lainie Edwards, Ph.D.

Environmental Specialist III

Bureau of Beaches and Coastal Systems

cc: Charlie Hunsicker, Manatee County  
Jennifer Davis, CPE

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Craig Kruempel, CPE  
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